

**ARRANGEMENT BETWEEN
THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED STATES
OF AMERICA CONCERNING THE ENVIRONMENTALLY
SOUND MANAGEMENT OF NON-HAZARDOUS WASTE AND SCRAP
SUBJECT TO TRANSBOUNDARY MOVEMENT**

THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA, hereinafter referred to collectively as “Participants” and individually as “Participant”;

RECALLING the *Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal*, done at Basel on 22 March 1989 (the “Basel Convention”);

RECALLING Article 11(1) of the Basel Convention, which provides that a Party may enter into an agreement or arrangement regarding transboundary movement of hazardous wastes or other wastes with a non-Party provided that such agreement or arrangement does not derogate from the environmentally sound management of hazardous wastes and other wastes as required by the Convention and that such agreement or arrangement stipulates provisions not less environmentally sound than those provided for by the Convention;

RECALLING the *Agreement between the Government of Canada and the Government of the United States of America concerning the Transboundary Movement of Hazardous Waste and Other Waste*, done at Ottawa on 28 October 1986, as amended (“Article 11 Agreement”);

SEEKING to ensure that the transboundary movement, transportation, recycling, recovery, and disposal of non-hazardous waste and scrap continues to be conducted in an environmentally sound manner in order to protect human health and the environment;

RECOGNIZING the Participants’ longstanding commitment to the environmentally sound management of waste and scrap, and their record of successful coordination and cooperation concerning the transboundary movement of waste and scrap, including under the existing Article 11 Agreement;

RECOGNIZING that the transboundary movement of waste and scrap for environmentally sound management, including trade in recyclable and recoverable materials, can yield economic and environmental benefits, including to support sustainable materials management; and

TAKING INTO ACCOUNT the Recommendation of the OECD Council on the Environmentally Sound Management of Waste (OECD/LEGAL/0329) and the associated Guidance Manual on Environmentally Sound Management of Waste;

HAVE REACHED the following understanding:

SECTION I

This Arrangement affirms the environmentally sound management in Canada and the United States of America (referred to collectively as “the countries” and individually as “country”) of non-hazardous waste and scrap subject to transboundary movement between the countries or transit through one country when the waste and scrap is both shipped from and destined for the other country (“transboundary movement”).

For the purposes of this Arrangement, “non-hazardous waste and scrap” means any waste and scrap not covered by the Article 11 Agreement or Appendix 4 of the Decision of the OECD Council on the Control of Transboundary Movements of Wastes Destined for Recovery Operations (OECD/LEGAL/0266).

SECTION II

Each Participant confirms that it has and intends to maintain measures to provide for the environmentally sound management, including recycling, recovery and disposal, of non-hazardous waste and scrap in order to protect human health and the environment.

Each Participant intends to manage non-hazardous waste and scrap in an environmentally sound manner, including recycling, recovery and disposal, in its country, in accordance with applicable laws, regulations, and practices.

The Participants intend that the transboundary movement of non-hazardous waste and scrap under this Arrangement be subject to all existing controls normally applied in commercial transactions.

The Participants intend to continue and augment, as appropriate, cooperative activities, using the Canada-U.S. Waste Operational Working Group (or successor group) and other relevant fora, with regard to the environmentally sound management of waste and scrap, such as exchange of information and development of best practices on issues of relevance to this Arrangement.

Each Participant is expected to inform the other Participant in a timely manner of any material changes to its domestic laws or regulations addressing the transboundary movement of non-hazardous waste and scrap.

SECTION III

The Participants intend that all activities carried out under this Arrangement be consistent with applicable law. This document constitutes an arrangement under Article 11 of the Basel Convention and does not impose, and is not intended to impose, any legal obligations on the Participants. The Participants intend to consult with each other as needed regarding the interpretation or implementation of this Arrangement.

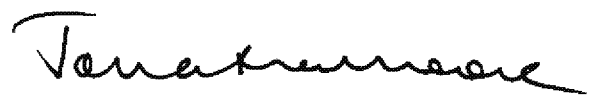
This Arrangement forms part of the instruments between Canada and the United States of America in relation to the transboundary movement and the environmentally sound management of waste and scrap, and is complementary to the existing Article 11 Agreement between the Participants.

This Arrangement becomes effective upon signature by both Participants and is intended to remain effective unless discontinued. The Arrangement may be discontinued by either Participant, in which case the Participant seeking to discontinue the Arrangement should provide 180 days' written notice to the other Participant.

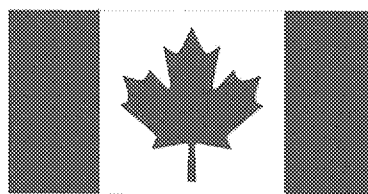
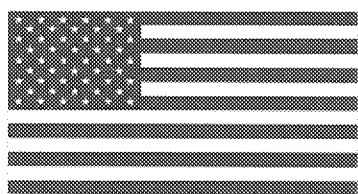
The Participants intend to consider whether to review the terms of this Arrangement at the request of either Participant. This Arrangement may be modified by mutual written decision of the Participants.

SIGNED in duplicate at *fatineau* this *26th* day of *October* 2020,
and at *Washington* this *22nd* day of *October* 2020, in the English and
French languages.



FOR THE GOVERNMENT
OF CANADA

FOR THE GOVERNMENT
OF THE UNITED STATES OF AMERICA



ARRANGEMENT BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND THE GOVERNMENT OF CANADA CONCERNING THE ENVIRONMENTALLY
SOUND MANAGEMENT OF NON-HAZARDOUS WASTE AND SCRAP
SUBJECT TO TRANSBOUNDARY MOVEMENT

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SEEKING to ensure that the transboundary movement, transportation, recycling, recovery, and disposal of non-hazardous waste and scrap continues to be conducted in an environmentally sound manner in order to protect human health and the environment;

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TAKING INTO ACCOUNT the Recommendation of the OECD Council on the Environmentally Sound Management of Waste (OECD/LEGAL/0329) and the associated Guidance Manual on Environmentally Sound Management of Waste;

HAVE REACHED the following understanding:

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SECTION II

Each Participant confirms that it has and intends to maintain measures to provide for the environmentally sound management, including recycling, recovery and disposal, of non-hazardous waste and scrap in order to protect human health and the environment.

Each Participant intends to manage non-hazardous waste and scrap in an environmentally sound manner, including recycling, recovery and disposal, in its country, in accordance with applicable laws, regulations, and practices.

The Participants intend that the transboundary movement of non-hazardous waste and scrap under this Arrangement be subject to all existing controls normally applied in commercial transactions.

The Participants intend to continue and augment, as appropriate, cooperative activities, using the U.S.-Canada Waste Operational Working Group (or successor group) and other relevant fora, with regard to the environmentally sound management of waste and scrap, such as exchange of information and development of best practices on issues of relevance to this Arrangement.

Each Participant is expected to inform the other Participant in a timely manner of any material changes to its domestic laws or regulations addressing the transboundary movement of non-hazardous waste and scrap.

SECTION III


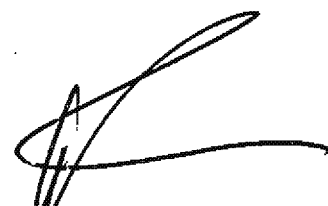
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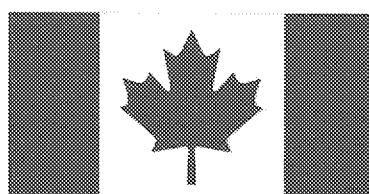
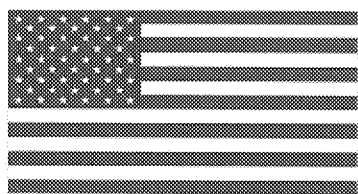
This Arrangement forms part of the instruments between the United States of America and Canada in relation to the transboundary movement and the environmentally sound management of waste and scrap, and is complementary to the existing Article 11 Agreement between the Participants.

This Arrangement becomes effective upon signature by both Participants and is intended to remain effective unless discontinued. The Arrangement may be discontinued by either Participant, in which case the Participant seeking to discontinue the Arrangement should provide 180 days' written notice to the other Participant.

The Participants intend to consider whether to review the terms of this Arrangement at the request of either Participant. This Arrangement may be modified by mutual written decision of the Participants.

SIGNED in duplicate at *Washington* this *22nd* day of *October* 2020,
and at *Paris* this *20th* day of *October* 2020, in the English and
French languages.

 _____ FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA	 _____ FOR THE GOVERNMENT OF CANADA
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**ARRANGEMENT ENTRE
LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE
ET LE GOUVERNEMENT DU CANADA CONCERNANT LA GESTION ÉCOLOGIQUEMENT
RATIONNELLE DES DÉCHETS ET DÉBRIS NON DANGEREUX FAISANT L'OBJET
DE MOUVEMENTS TRANSFRONTIÈRES**

LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE ET LE GOUVERNEMENT DU CANADA ci-après nommés collectivement les « Participants » et séparément le « Participant »;

RAPPELANT la *Convention de Bâle sur le contrôle des mouvements transfrontières de déchets dangereux et de leur élimination*, faite à Bâle le 22 mars 1989 (la « Convention de Bâle »);

RAPPELANT l'article 11(1) de la Convention de Bâle, selon lequel une Partie à la Convention peut conclure un accord ou un arrangement touchant les mouvements transfrontières de déchets dangereux ou d'autres déchets avec une non Partie à condition qu'un tel accord ou arrangement ne déroge pas à la gestion écologiquement rationnelle des déchets dangereux et d'autres déchets prescrite dans la Convention et qu'un tel accord ou arrangement énonce des dispositions qui ne sont pas moins écologiquement rationnelles que celles prévues dans la Convention;

RAPPELANT l'*Accord entre le gouvernement des États-Unis d'Amérique et le gouvernement du Canada concernant les déplacements transfrontaliers de déchets dangereux et autres déchets*, fait à Ottawa le 28 octobre 1986, tel qu'amendé (l'« Accord conclu conformément à l'article 11 »);

CHERCHANT à assurer que les mouvements transfrontières, le transport, le recyclage, la valorisation et l'élimination des déchets et des débris non dangereux continuent d'être effectués de manière écologiquement rationnelle afin de protéger la santé humaine et l'environnement;

RECONNAISSANT l'engagement de longue date des Participants envers la gestion écologiquement rationnelle des déchets et des débris ainsi que leur historique de coordination et de coopération réussies concernant les mouvements transfrontières des déchets et des débris, notamment dans le cadre de l'Accord conclu conformément à l'article 11;

RECONNAISSANT que les mouvements transfrontières des déchets et des débris aux fins de gestion écologiquement rationnelle, y compris le commerce des matériaux recyclables et valorisables, peuvent apporter des avantages économiques et environnementaux, notamment pour appuyer la gestion des matériaux durables;

TENANT COMPTE de la Recommandation du Conseil de l'OCDE sur la gestion écologique des déchets (OECD/LEGAL/0329) et de son Manuel d'application pour la gestion écologique des déchets;

SE SONT ENTENDUS sur ce qui suit :

SECTION I

Le présent arrangement affirme la gestion écologiquement rationnelle aux États-Unis d'Amérique et au Canada (ci-après nommés collectivement « les pays » et séparément le « pays ») des déchets et débris non dangereux faisant l'objet de mouvements transfrontières entre les pays ou qui transitent par un pays lorsque les déchets et débris sont tout à la fois expédiés vers l'autre pays et destinés à celui-ci (« mouvements transfrontières »).

Pour les besoins du présent arrangement, les « déchets et débris non dangereux » désignent tout déchet et débris qui n'est pas visé par l'Accord conclu conformément à l'article 11 ou l'appendice 4 de la Décision du Conseil de l'OCDE sur le contrôle des mouvements transfrontières de déchets destinés à des opérations de valorisation (OECD/LEGAL/0266).

SECTION II

Chaque Participant confirme qu'il a en place et entend maintenir des mesures pour assurer la gestion écologiquement rationnelle, y compris le recyclage, la valorisation et l'élimination, des déchets et débris non dangereux afin de protéger la santé humaine et l'environnement.

Chaque Participant entend gérer les déchets et débris non dangereux de manière écologiquement rationnelle, y compris leur recyclage, leur valorisation et leur élimination, dans son pays, conformément aux lois, règlements et pratiques applicables.

Les Participants entendent soumettre les mouvements transfrontières des déchets et débris non dangereux visés par le présent arrangement à tous les contrôles existants normalement appliqués aux transactions commerciales.

Les Participants entendent maintenir et accentuer, s'il y a lieu, les activités de coopération, au moyen du Groupe de travail opérationnel américano-canadien sur les déchets (ou du groupe le remplaçant) et d'autres forums pertinents, en ce qui concerne la gestion écologiquement rationnelle des déchets et des débris, comme l'échange de renseignements et l'établissement de pratiques exemplaires sur les enjeux se rapportant au présent arrangement.

Chaque Participant est censé informer l'autre Participant en temps opportun de tout changement important à ses lois ou règlements nationaux relatifs aux mouvements transfrontières des déchets et débris non dangereux.

SECTION III

Les Participants entendent veiller à ce que toutes les activités menées dans le cadre du présent arrangement soient conformes au droit applicable. Le présent document constitue un arrangement conclu conformément à l'article 11 de la Convention de Bâle et n'impose, ou ne vise à imposer, aucune obligation juridique aux Participants. Les Participants entendent se consulter au besoin au sujet de l'interprétation ou de la mise en oeuvre du présent arrangement.

Le présent arrangement fait partie des instruments conclus entre les États-Unis d'Amérique et le Canada se rapportant aux mouvements transfrontières et à la gestion écologiquement rationnelle des déchets et des débris et est complémentaire à l'Accord conclu conformément à l'article 11 qui existe déjà entre les Participants.

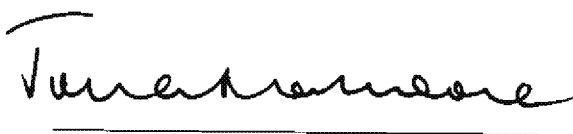
Le présent arrangement prend effet dès sa signature par les deux Participants et les Participants entendent qu'il reste applicable à moins qu'il n'y soit mis fin. L'un ou l'autre Participant peut mettre fin au présent arrangement, auquel cas le Participant souhaitant mettre fin au présent arrangement devrait fournir un préavis écrit de 180 jours à l'autre Participant.

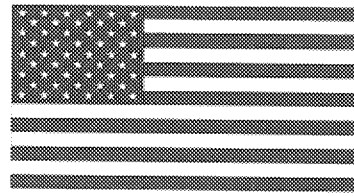
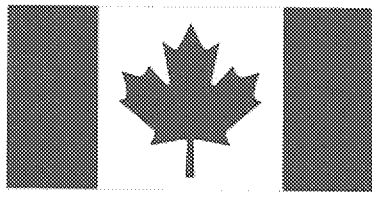
Les Participants entendent examiner la question de la révision des termes du présent arrangement à la demande de l'un ou l'autre Participant. Le présent arrangement peut être modifié sur décision mutuelle écrite des Participants.

SIGNÉ en double exemplaire, à Washington ce 22 jour de Octobre 2020,
et à Gatineau ce 26 jour de Octobre 2020, en langues française et anglaise.

POUR LE GOUVERNEMENT
DES ÉTATS-UNIS D'AMÉRIQUE

POUR LE GOUVERNEMENT
DU CANADA

A handwritten signature in dark ink, appearing to read "T. A. ...", written over a horizontal line.A handwritten signature in dark ink, consisting of a large stylized "K" followed by a horizontal line, written over a horizontal line.



**ARRANGEMENT ENTRE
LE GOUVERNEMENT DU CANADA ET LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE
CONCERNANT LA GESTION ÉCOLOGIQUEMENT RATIONNELLE DES DÉCHETS
ET DÉBRIS NON DANGEREUX FAISANT L'OBJET
DE MOUVEMENTS TRANSFRONTIÈRES**

LE GOUVERNEMENT DU CANADA ET LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE ci-après nommés collectivement les « Participants » et séparément le « Participant »;

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CHERCHANT à assurer que les mouvements transfrontières, le transport, le recyclage, la valorisation et l'élimination des déchets et des débris non dangereux continuent d'être effectués de manière écologiquement rationnelle afin de protéger la santé humaine et l'environnement;

RECONNAISSANT l'engagement de longue date des Participants envers la gestion écologiquement rationnelle des déchets et des débris ainsi que leur historique de coordination et de coopération réussies concernant les mouvements transfrontières des déchets et des débris, notamment dans le cadre de l'Accord conclu conformément à l'article 11;

RECONNAISSANT que les mouvements transfrontières des déchets et des débris aux fins de gestion écologiquement rationnelle, y compris le commerce des matériaux recyclables et valorisables, peuvent apporter des avantages économiques et environnementaux, notamment pour appuyer la gestion des matériaux durables;

TENANT COMPTE de la Recommandation du Conseil de l'OCDE sur la gestion écologique des déchets (OECD/LEGAL/0329) et de son Manuel d'application pour la gestion écologique des déchets;

SE SONT ENTENDUS sur ce qui suit :

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Le présent arrangement affirme la gestion écologiquement rationnelle au Canada et aux États-Unis d'Amérique (ci-après nommés collectivement « les pays » et séparément le « pays ») des déchets et débris non dangereux faisant l'objet de mouvements transfrontières entre les pays ou qui transitent par un pays lorsque les déchets et débris sont tout à la fois expédiés vers l'autre pays et destinés à celui-ci (« mouvements transfrontières »).

Pour les besoins du présent arrangement, les « déchets et débris non dangereux » désignent tout déchet et débris qui n'est pas visé par l'Accord conclu conformément à l'article 11 ou l'appendice 4 de la Décision du Conseil de l'OCDE sur le contrôle des mouvements transfrontières de déchets destinés à des opérations de valorisation (OECD/LEGAL/0266).

SECTION II

Chaque Participant confirme qu'il a en place et entend maintenir des mesures pour assurer la gestion écologiquement rationnelle, y compris le recyclage, la valorisation et l'élimination, des déchets et débris non dangereux afin de protéger la santé humaine et l'environnement.

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Les Participants entendent soumettre les mouvements transfrontières des déchets et débris non dangereux visés par le présent arrangement à tous les contrôles existants normalement appliqués aux transactions commerciales.

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SECTION III

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Le présent arrangement fait partie des instruments conclus entre le Canada et les États-Unis d'Amérique se rapportant aux mouvements transfrontières et à la gestion écologiquement rationnelle des déchets et des débris et est complémentaire à l'Accord conclu conformément à l'article 11 qui existe déjà entre les Participants.

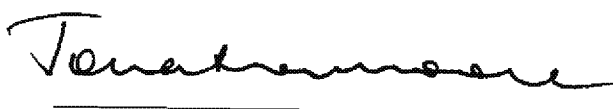
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POUR LE GOUVERNEMENT
DU CANADA

POUR LE GOUVERNEMENT
DES ÉTATS-UNIS D'AMÉRIQUE



Appointment

From: Berns, Anne [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=3f3362304d44449896f00796e766b001-ABERNS]
Sent: 9/22/2020 8:56:54 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: Discussion re Canada's edits on Draft text of U.S.-CA A11 Arrangement
Location: Teleconference **Ex. 6 Personal Privacy (PP)**

Start: 9/24/2020 3:00:00 PM
End: 9/24/2020 4:00:00 PM
Show Time As: Busy

Appointment

From: Berns, Anne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3f3362304d44449896f00796e766b001-ABERNS]
Sent: 9/9/2020 1:26:57 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: HOLD: Joint Stakeholder Meeting on US-Canada A11 Arrangement
Location: Teleconference **Ex. 6 Personal Privacy (PP)**

Start: 9/21/2020 5:00:00 PM
End: 9/21/2020 6:00:00 PM
Show Time As: Busy

Appointment

From: Berns, Anne [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=3f3362304d44449896f00796e766b001-ABERNS]
Sent: 11/9/2020 4:31:50 PM
To: Ryann Howard [howardr3@state.gov]

Subject: Accepted: U.S. Industry Stakeholder Meeting on U.S.-Canada Arrangement

Location: **Ex. 6 Personal Privacy (PP)**

Start: 11/18/2020 3:30:00 PM

End: 11/18/2020 4:30:00 PM

Show Time As: Busy

Appointment

From: Berns, Anne [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=3f3362304d44449896f00796e766b001-ABERNS]
Sent: 11/6/2020 8:26:27 PM
To: Ryann Howard [howardr3@state.gov]

Subject: Accepted: U.S. NGO Stakeholder Meeting on U.S.-Canada Arrangement

Location:

Ex. 6 Personal Privacy (PP)

Start: 11/18/2020 5:00:00 PM

End: 11/18/2020 6:00:00 PM

Show Time As: Busy

Appointment

From: Coughlan, Laura [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E6FA5FFA7FB40D6908781A1EB5BB656-LCOUGHLA]
Sent: 9/22/2020 5:23:53 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: Discussion re Canada's edits on Draft text of U.S.-CA A11 Arrangement
Location: Teleconference **Ex. 6 Personal Privacy (PP)**

Start: 9/24/2020 3:00:00 PM
End: 9/24/2020 4:00:00 PM
Show Time As: Busy

Appointment

From: Yohannes, Lia [Yohannes.Lia@epa.gov]
Sent: 7/15/2020 6:31:52 PM
To: Yohannes, Lia [Yohannes.Lia@epa.gov]; Picardi, Rick [Picardi.Rick@epa.gov]; Coughlan, Laura [Coughlan.Laura@epa.gov]
Subject: Teams invite: US-Canada arrangement
Location: Microsoft Teams Meeting
Start: 7/15/2020 6:30:00 PM
End: 7/15/2020 7:00:00 PM
Show Time As: Tentative

[Join Microsoft Teams Meeting](#)

Ex. 6 Personal Privacy (PP)

[Local numbers](#) | [Reset PIN](#) | [Learn more about Teams](#) | [Meeting options](#)

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Appointment

From: Picardi, Rick [Picardi.Rick@epa.gov]
Sent: 7/14/2020 4:48:37 PM
To: Picardi, Rick [Picardi.Rick@epa.gov]; Yohannes, Lia [Yohannes.Lia@epa.gov]; Coughlan, Laura [Coughlan.Laura@epa.gov]
Subject: Canada/US arrangement
Start: 7/15/2020 6:30:00 PM
End: 7/15/2020 7:00:00 PM
Show Time As: Busy

The call-in number is 1

Ex. 6 Personal Privacy (PP)

Message

From: Yohannes, Lia [Yohannes.Lia@epa.gov]
Sent: 6/29/2020 4:16:09 PM
To: Coughlan, Laura [Coughlan.Laura@epa.gov]
Subject: RE: Framing of US-CA Arrangement

Weird that no one responded. I called Larke and explained the situation. She suggested emailing the group to reschedule.

Liabeth Yohannes
International Branch
Office of Resource Conservation and Recovery
U.S. EPA Office of Land and Emergency Management
Yohannes.Lia@epa.gov
+1.703.308.8413

From: Coughlan, Laura <Coughlan.Laura@epa.gov>
Sent: Monday, June 29, 2020 11:35 AM
To: Yohannes, Lia <Yohannes.Lia@epa.gov>
Subject: RE: Framing of US-CA Arrangement

I did dial in at about 11:05 am but no one seemed to be on the line.

From: Yohannes, Lia <Yohannes.Lia@epa.gov>
Sent: Monday, June 29, 2020 10:18 AM
To: Howard, Ryann <HowardR3@state.gov>; Coughlan, Laura <Coughlan.Laura@epa.gov>; Williams, Larke S <WilliamsLS@state.gov>; Picardi, Rick <Picardi.Rick@epa.gov>; Smilansky, Gene <SmilanskyGM@state.gov>
Subject: RE: Framing of US-CA Arrangement

Hi all,

Can we reschedule our 11am call? Rick is out sick today. Any of the following times work for EPA folks:

Tues., 6/30: 9-10am
Wed., 7/1: 12-1pm or 4-5pm
Thurs., 7/2: 11-12pm or 1-2pm

Thanks
Lia

Liabeth Yohannes
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+1.703.308.8413

-----Original Appointment-----

From: Howard, Ryann <HowardR3@state.gov>
Sent: Friday, June 26, 2020 10:50 AM
To: Howard, Ryann; Coughlan, Laura; Williams, Larke S; Picardi, Rick; Yohannes, Lia; Smilansky, Gene
Subject: Framing of US-CA Arrangement

When: Monday, June 29, 2020 11:00 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Teleconference **Ex. 6 Personal Privacy (PP)**

Hi all,

This is the interagency calendar invite to discuss framing the US-Canada arrangement. Please let me know if this time doesn't work for you. Thanks!

Best,
Ryann

Message

From: Yohannes, Lia [Yohannes.Lia@epa.gov]
Sent: 12/2/2020 8:05:35 PM
To: Picardi, Rick [Picardi.Rick@epa.gov]; Coughlan, Laura [Coughlan.Laura@epa.gov]; Nam, Katherine [nam.katherine@epa.gov]; Berns, Anne [Berns.Anne@epa.gov]
Subject: FYI - Press on US-CA arrangement on TBMs plastic scrap

FYI - <https://resource-recycling.com/plastics/2020/12/02/us-and-canada-approve-pact-as-basel-restrictions-near>

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Office of Resource Conservation and Recovery
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Yohannes.lia@epa.gov
+1.703.308.8413

Appointment

From: Yohannes, Lia [Yohannes.Lia@epa.gov]
Sent: 7/15/2020 6:31:51 PM
To: Picardi, Rick [Picardi.Rick@epa.gov]; Coughlan, Laura [Coughlan.Laura@epa.gov]
Subject: Teams invite: US-Canada arrangement
Location: Microsoft Teams Meeting
Start: 7/15/2020 6:30:00 PM
End: 7/15/2020 7:00:00 PM
Show Time As: Tentative

Join Microsoft Teams Meeting

Ex. 6 Personal Privacy (PP)

Arlington (Toll)

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By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.

Appointment

From: Picardi, Rick [Picardi.Rick@epa.gov]
Sent: 7/14/2020 4:48:36 PM
To: Yohannes, Lia [Yohannes.Lia@epa.gov]; Coughlan, Laura [Coughlan.Laura@epa.gov]
Subject: Canada/US arrangement
Start: 7/15/2020 6:30:00 PM
End: 7/15/2020 7:00:00 PM
Show Time As: Tentative

The call-in number is Ex. 6 Personal Privacy (PP) and the access code Ex. 6 Personal Privacy (PP)

Appointment

From: Coughlan, Laura [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3e6fa5ffa7fb40d6908781a1eb5bb656-LCOUGHLA]
Sent: 9/22/2020 5:23:53 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: Discussion re Canada's edits on Draft text of U.S.-CA A11 Arrangement
Location: Teleconference **Ex. 6 Personal Privacy (PP)**

Start: 9/24/2020 3:00:00 PM
End: 9/24/2020 4:00:00 PM
Show Time As: Busy

Appointment

From: Coughlan, Laura [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3e6fa5ffa7fb40d6908781a1eb5bb656-LCOUGHLA]
Sent: 9/16/2020 8:41:25 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: HOLD: Joint Stakeholder Meeting on US-Canada A11 Arrangement
Location: Teleconference **Ex. 6 Personal Privacy (PP)**

Start: 9/21/2020 5:00:00 PM
End: 9/21/2020 6:00:00 PM
Show Time As: Busy

Appointment

From: Coughlan, Laura [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3e6fa5ffa7fb40d6908781a1eb5bb656-LCOUGHLA]
Sent: 11/6/2020 8:46:19 PM
To: Ryann Howard [howardr3@state.gov]

Subject: Accepted: U.S. Industry Stakeholder Meeting on U.S.-Canada Arrangement

Location: Ex. 6 Personal Privacy (PP)

Start: 11/18/2020 3:30:00 PM

End: 11/18/2020 4:30:00 PM

Show Time As: Busy

Appointment

From: Coughlan, Laura [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3e6fa5ffa7fb40d6908781a1eb5bb656-LCOUGHLA]
Sent: 11/6/2020 8:46:13 PM
To: Ryann Howard [howardr3@state.gov]

Subject: Accepted: U.S. NGO Stakeholder Meeting on U.S.-Canada Arrangement

Location: Ex. 6 Personal Privacy (PP)

Start: 11/18/2020 5:00:00 PM

End: 11/18/2020 6:00:00 PM

Show Time As: Busy

Message

From: Coughlan, Laura [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E6FA5FFA7FB40D6908781A1EB5BB656-LCOUGHLA]
Sent: 8/7/2020 4:45:23 PM
To: Yohannes, Lia [Yohannes.Lia@epa.gov]; Nam, Katherine [nam.katherine@epa.gov]; Berns, Anne [Berns.Anne@epa.gov]
CC: Picardi, Rick [Picardi.Rick@epa.gov]
Subject: RE: My comments on draft US/Canada Article 11 arrangement

Looked good to me.

From: Yohannes, Lia <Yohannes.Lia@epa.gov>
Sent: Friday, August 07, 2020 12:10 PM
To: Nam, Katherine <nam.katherine@epa.gov>; Coughlan, Laura <Coughlan.Laura@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>
Cc: Picardi, Rick <Picardi.Rick@epa.gov>
Subject: RE: My comments on draft US/Canada Article 11 arrangement

Hi all,

For your review, I've attached consolidated comments on the US-Canada bilateral arrangement text. The comments we propose sending back to State are denoted as "EPA comment". Issues or changes made where I'd like to get the group's endorsement are denoted as "for EPA feedback."

Attaching a OneDrive version of the file to facilitate review.

Thanks again for all your input thus far.

Lia

Liabeth Yohannes
International Branch
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Yohannes.lia@epa.gov
+1.703.308.8413

From: Nam, Katherine <nam.katherine@epa.gov>
Sent: Thursday, August 6, 2020 1:59 PM
To: Yohannes, Lia <Yohannes.Lia@epa.gov>; Picardi, Rick <Picardi.Rick@epa.gov>
Cc: Coughlan, Laura <Coughlan.Laura@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>
Subject: RE: My comments on draft US/Canada Article 11 arrangement

Thanks, Lia!

Kathy

Katherine H. Nam
Solid Waste and Emergency Response Law Office
Office of General Counsel
U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, Washington, D.C. 20460
Phone: (202) 564-5512, Rm. 7013E WJCN
Email: nam.katherine@epa.gov

From: Yohannes, Lia <Yohannes.Lia@epa.gov>
Sent: Thursday, August 06, 2020 1:49 PM
To: Nam, Katherine <nam.katherine@epa.gov>; Picardi, Rick <Picardi.Rick@epa.gov>
Cc: Coughlan, Laura <Coughlan.Laura@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>
Subject: RE: My comments on draft US/Canada Article 11 arrangement

Kathy and all,

Thanks very much for your speedy review! After an initial read through all the comments make sense to me, but will let you know if questions arise when I consolidate.

Best,
Lia

Liabeth Yohannes
International Branch
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U.S. EPA Office of Land and Emergency Management
Yohannes.lia@epa.gov
+1.703.308.8413

From: Nam, Katherine <nam.katherine@epa.gov>
Sent: Thursday, August 6, 2020 1:45 PM
To: Picardi, Rick <Picardi.Rick@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>
Cc: Coughlan, Laura <Coughlan.Laura@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>
Subject: FW: My comments on draft US/Canada Article 11 arrangement

Rick and Lia –

Just so there is no confusion, it seems that at this point, the attachment here contains all the comments from Laura, Anne and me. We have finished our review.

Per my email below, you will probably have to make a couple of word changes in the actual document to correspond with, and be consistent with, the comments that Anne made and my agreement with her comments. Anne made bubble comments but did not actually mark up her comments in the text. I agree with her comments, so please go ahead and make her changes in the text when you finalize the consolidated EPA comments.

Please let us know if you have any questions. Thanks!

Kathy

Katherine H. Nam
Solid Waste and Emergency Response Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, Washington, D.C. 20460
Phone: (202) 564-5512, Rm. 7013E WJCN

Email: nam.katherine@epa.gov

From: Nam, Katherine

Sent: Wednesday, August 05, 2020 4:30 PM

To: Berns, Anne <Berns.Anne@epa.gov>; Coughlan, Laura <Coughlan.Laura@epa.gov>; Picardi, Rick <Picardi.Rick@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>

Subject: RE: My comments on draft US/Canada Article 11 arrangement

Anne – thanks for your comments. I had some bubble replies to your bubble comments. In sum, I agreed with your suggestions: (1) to keep “framework” instead of “procedures”; and (2) to use the word “operational” (rather than State’s “operative” or my original suggestion of “effective”). Thanks!

Laura – I was fine with all your comments. Thanks.

Rick & Lia – Regarding my replies to Anne’s comments, I did not actually mark up the corresponding changes in the text itself, just so you could see the back-and-forth between her and me. If you agree with how we came out ultimately in our exchange, could you please make the appropriate changes in the body of the text in the final version of consolidated comments you plan to ultimately send to State? Thanks!

Kathy

Katherine H. Nam
Solid Waste and Emergency Response Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, Washington, D.C. 20460
Phone: (202) 564-5512, Rm. 7013E WJCN
Email: nam.katherine@epa.gov

From: Berns, Anne <Berns.Anne@epa.gov>

Sent: Wednesday, August 05, 2020 3:58 PM

To: Coughlan, Laura <Coughlan.Laura@epa.gov>; Nam, Katherine <nam.katherine@epa.gov>; Picardi, Rick <Picardi.Rick@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>

Subject: RE: My comments on draft US/Canada Article 11 arrangement

Here are my thoughts and suggestions on top of those from Kathy and Laura. They are mostly in comment form. Thanks again for looping me in on this. It is an interesting set of issues.

Anne Rowley Berns
Attorney-Advisor
EPA Office of General Counsel
Cross-Cutting Issues Law Office
Phone: (202) 564-1762

From: Coughlan, Laura

Sent: Wednesday, August 05, 2020 10:02 AM

To: Nam, Katherine <nam.katherine@epa.gov>; Picardi, Rick <Picardi.Rick@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>

Subject: RE: My comments on draft US/Canada Article 11 arrangement

Added my one comment to Kathy's version.

From: Nam, Katherine <nam.katherine@epa.gov>

Sent: Tuesday, August 04, 2020 4:43 PM

To: Picardi, Rick <Picardi.Rick@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>; Coughlan, Laura <Coughlan.Laura@epa.gov>

Subject: My comments on draft US/Canada Article 11 arrangement

Hi, all.

I have reviewed the draft US/Canada Article 11 arrangement. All of my comments are minor.

Ex. 5 Deliberative Process (DP)

If possible, it might be good if other folks who are reviewing, if you haven't already marked up your versions, maybe work off of my attached document so that we can have consolidated comments for Rick and Lia. However, if you have already started marking up your own, that's fine too. This document is so short, it's hopefully not a big deal for Rich and Lia to consolidate separate sets of EPA comments. Thanks!

Kathy

Katherine H. Nam
Solid Waste and Emergency Response Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, Washington, D.C. 20460
Phone: (202) 564-5512, Rm. 7013E WJCN
Email: nam.katherine@epa.gov

Appointment

From: Coughlan, Laura [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3e6fa5ffa7fb40d6908781a1eb5bb656-LCOUGHLA]
Sent: 7/15/2020 1:25:04 PM
To: Picardi, Rick [Picardi.Rick@epa.gov]
Subject: Accepted: Canada/US arrangement
Start: 7/15/2020 6:30:00 PM
End: 7/15/2020 7:00:00 PM
Show Time As: Busy

Message

From: Nam, Katherine [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=960947DCFBC944538AF795AB8F122CC9-KNAM]
Sent: 8/7/2020 3:24:47 PM
To: Berns, Anne [Berns.Anne@epa.gov]; Picardi, Rick [Picardi.Rick@epa.gov]
CC: Yohannes, Lia [Yohannes.Lia@epa.gov]
Subject: RE: US-Canada arrangement schedule - to share w/Laura, Kathy, and Anne

Hi, Rick.

I will participate. Thanks.

Kathy

Katherine H. Nam
Solid Waste and Emergency Response Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, Washington, D.C. 20460
Phone: (202) 564-5512, Rm. 7013E WJCN
Email: nam.katherine@epa.gov

From: Berns, Anne <Berns.Anne@epa.gov>
Sent: Friday, August 07, 2020 11:12 AM
To: Picardi, Rick <Picardi.Rick@epa.gov>; Nam, Katherine <nam.katherine@epa.gov>
Cc: Yohannes, Lia <Yohannes.Lia@epa.gov>
Subject: RE: US-Canada arrangement schedule - to share w/Laura, Kathy, and Anne

Thanks, Rick. I'm really impressed with the degree of advanced organization on this! I would like to do this. I will briefly run it past my immediate management to make sure they are on board with the timing and let you know.

Anne Rowley Berns
Attorney-Advisor
EPA Office of General Counsel
Cross-Cutting Issues Law Office
Phone: (202) 564-1762

From: Picardi, Rick
Sent: Friday, August 07, 2020 10:58 AM
To: Nam, Katherine <nam.katherine@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>
Cc: Yohannes, Lia <Yohannes.Lia@epa.gov>
Subject: US-Canada arrangement schedule - to share w/Laura, Kathy, and Anne

Kathy and Anne

Thank you for your quick review of the draft US-Canada bilateral arrangement text. Lia is consolidating comments and will send them for your review. For your reference, I'm sharing the schedule of work for the negotiations so that you

have a better sense of the timing and time commitment involved in being on the US “Expert Team” which will be our negotiating team. There are 7 meetings (asterisked, in bold font) in the next two months or so that I’d like you to join (see below and attached). Some of these meetings will be USG Expert Team meetings and some of them will be with the Canadians. Please let me know if you are able to commit to participating in the Expert Team and so that I can let Larke Williams at the State Department know who from EPA will participate.

Thanks

Rick Picardi

Chief, International Branch

Office of Resource Conservation and Recovery

US EPA Office of Land and Emergency Management

work mobile: 1-703-341-9962

picardi.rick@epa.gov

Action	Timeline
Canada-US conference call - Senior management	July 24, 2020
Draft of text of arrangement shared by US	July 31, 2020
US Interagency discussion on economic analysis	Week of August 10
Canada to provide comments on the draft text	August 25, 2020
*US del pre-brief for Expert Team calls	August 27, 2020
*Canada-US conference call- Expert Team	August 31, 2020
*US del Expert Team de-brief/prep	August 31, 2020
*Canada-US conference call- Expert Team	September 2, 2020
*US del Expert Team debrief	September 2, 2020
Draft revised text of arrangement from Expert Team	September 3, 2020
Internal consultations	September 4 to September 18, 2020
US Interagency Meeting	September 9, 2020
US Stakeholder Meeting	September 15, 2020
*US del pre-brief for Expert Team Meeting	September 17, 2020
*Canada-US conference call - Expert Team	September 22, 2020
Revised text of arrangement shared	September 23, 2020
US Interagency Meeting	September 28, 2020
Canada-US conference call- Senior management (to resolve outstanding issues and finalize text)	October 1, 2020
Translation into French	October 2 to October 9, 2020
Final text of arrangement (in French and English) shared	October 12, 2020

Ex. 5 Deliberative Process (DP)

Appointment

From: Nam, Katherine [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=960947dcfbc944538af795ab8f122cc9-KNAM]
Sent: 9/21/2020 2:03:22 PM
To: Howard, Ryann [HowardR3@state.gov]
Subject: Accepted: Confirmed: Industry Stakeholder Meeting on US-Canada A11 Arrangement
Location: Teleconference **Ex. 6 Personal Privacy (PP)**
Start: 9/21/2020 5:00:00 PM
End: 9/21/2020 6:00:00 PM
Show Time As: Busy

Appointment

From: Picardi, Rick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15E2DC5D6F3748F98905C93A1037D158-RPICARDI]
Sent: 9/23/2020 10:29:45 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: Discussion re Canada's edits on Draft text of U.S.-CA A11 Arrangement
Location: Teleconference **Ex. 6 Personal Privacy (PP)**

Start: 9/24/2020 3:00:00 PM
End: 9/24/2020 4:00:00 PM
Show Time As: Busy

Appointment

From: Yohannes, Lia [Yohannes.Lia@epa.gov]

Sent: 7/14/2020 4:49:06 PM

To: Picardi, Rick [Picardi.Rick@epa.gov]

Subject: Accepted: Canada/US arrangement

Start: 7/15/2020 6:30:00 PM

End: 7/15/2020 7:00:00 PM

Show Time As: Busy

Message

From: Adrian, Stephanie [Adrian.Stephanie@epa.gov]
Sent: 9/30/2020 9:02:30 PM
To: Yohannes, Lia [Yohannes.Lia@epa.gov]
CC: Picardi, Rick [Picardi.Rick@epa.gov]
Subject: RE: write up for Chad

Thanks so much, Lia!! I really appreciate it.
Steph

Stephanie Adrian MPH
Global Affairs and Policy
Office of International and Tribal Affairs
US Environmental Protection Agency
1200 Pennsylvania Ave, NW, MC2660R
Washington, DC 20460
Office: +202-564-6444
Email: adrian.stephanie@epa.gov
Website: <http://www.epa.gov/international>

From: Yohannes, Lia <Yohannes.Lia@epa.gov>
Sent: Wednesday, September 30, 2020 4:16 PM
To: Adrian, Stephanie <Adrian.Stephanie@epa.gov>
Cc: Picardi, Rick <Picardi.Rick@epa.gov>
Subject: RE: write up for Chad

Hi Steph,

As requested, here's our summary of the US-CAN Article 11 Arrangement below. Thanks for your patience. Pls let me know if you have any questions.

US-Canada Article 11 Arrangement

- The U.S. and Canada are working to establish a Basel Convention Article 11 Arrangement to allow for the continued transboundary movement of non-hazardous plastic scrap between the two countries. The U.S. negotiating team is led by the State Department and includes EPA, the U.S. Trade Representative's Office and the U.S. Department of Commerce. The Canadian negotiating team is comprised of representatives from Environment and Climate Change Canada (lead), Global Affairs Canada, and Department of Justice Canada.
- A U.S.-Canada Arrangement that covers non-hazardous plastic scrap and waste is necessary to facilitate continued trade in this material because OECD countries did not reach agreement on how to address non-hazardous plastic scrap under the OECD Council Decision.

Ex. 5 Deliberative Process (DP)

- Under the terms of the Arrangement, as currently drafted, transboundary movements of non-hazardous plastic scrap and waste between the US and Canada would not be subject to prior notice and consent requirements. The terms of the Arrangement are subject to change as negotiations are ongoing.
- In 2019, U.S.-Canada trade in plastic scrap was valued at over \$112 million which could be negatively impacted starting in January 2021 unless an Arrangement is in place.

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Yohannes.lia@epa.gov
+1.703.308.8413

From: Adrian, Stephanie <Adrian.Stephanie@epa.gov>
Sent: Tuesday, September 29, 2020 10:43 AM
To: Yohannes, Lia <Yohannes.Lia@epa.gov>
Subject: RE: write up for Chad

Hi Lia,
If you get a chance to review, please send me any edits by Wed COB. I hope your week is less swamped.
Steph

Stephanie Adrian MPH
Global Affairs and Policy
Office of International and Tribal Affairs
US Environmental Protection Agency
1200 Pennsylvania Ave, NW, MC2660R
Washington, DC 20460
Office: +202-564-6444
Email: adrian.stephanie@epa.gov
Website: <http://www.epa.gov/international>

From: Yohannes, Lia <Yohannes.Lia@epa.gov>
Sent: Thursday, September 24, 2020 2:40 PM
To: Adrian, Stephanie <Adrian.Stephanie@epa.gov>
Subject: RE: write up for Chad

OK, thanks for your understanding.

Liabeth Yohannes
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From: Adrian, Stephanie <Adrian.Stephanie@epa.gov>
Sent: Thursday, September 24, 2020 2:21 PM
To: Yohannes, Lia <Yohannes.Lia@epa.gov>
Subject: RE: write up for Chad

Don't rush it. We took it off this week's weekly so if you can review by early next week, that would be perfect.
Thanks!
steph

Stephanie Adrian MPH
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Office of International and Tribal Affairs
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1200 Pennsylvania Ave, NW, MC2660R
Washington, DC 20460
Office: +202-564-6444
Email: adrian.stephanie@epa.gov
Website: <http://www.epa.gov/international>

From: Yohannes, Lia <Yohannes.Lia@epa.gov>
Sent: Thursday, September 24, 2020 2:09 PM
To: Adrian, Stephanie <Adrian.Stephanie@epa.gov>
Subject: RE: write up for Chad

OK let me try. COB OK today? We have a meeting with CA from 2:30 – 5pm so I don't know if Rick will have a chance to review. Just gave a webinar on the Basel changes and have been slammed today.

Liabeth Yohannes
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From: Adrian, Stephanie <Adrian.Stephanie@epa.gov>
Sent: Thursday, September 24, 2020 1:04 PM
To: Yohannes, Lia <Yohannes.Lia@epa.gov>
Subject: RE: write up for Chad

Hi Lia,
I actually need it today. Anyway to glance at it to make sure I'm not off base?
steph

Stephanie Adrian MPH
Global Affairs and Policy
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US Environmental Protection Agency
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Washington, DC 20460
Office: +202-564-6444
Email: adrian.stephanie@epa.gov
Website: <http://www.epa.gov/international>

From: Yohannes, Lia <Yohannes.Lia@epa.gov>
Sent: Thursday, September 24, 2020 12:11 PM
To: Adrian, Stephanie <Adrian.Stephanie@epa.gov>
Subject: RE: write up for Chad

Thanks, Steph! I'll send our comments by tomorrow.

Liabeth Yohannes
International Branch
Office of Resource Conservation and Recovery
U.S. EPA Office of Land and Emergency Management
Yohannes.lia@epa.gov
+1.703.308.8413

From: Adrian, Stephanie <Adrian.Stephanie@epa.gov>
Sent: Thursday, September 24, 2020 8:49 AM
To: Yohannes, Lia <Yohannes.Lia@epa.gov>
Subject: write up for Chad

Hi Lia,
I am writing up a description of the US Canada Article 11 arrangement for Chad. I want to keep it simple. Can you look at this and let me know what you think? Feel free to edit.
Thanks!
Steph

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Stephanie Adrian MPH
Global Affairs and Policy
Office of International and Tribal Affairs
US Environmental Protection Agency
1200 Pennsylvania Ave, NW, MC2660R
Washington, DC 20460
Office: +202-564-6444
Email: adrian.stephanie@epa.gov
Website: <http://www.epa.gov/international>

Message

From: Yohannes, Lia [Yohannes.Lia@epa.gov]
Sent: 8/7/2020 12:15:44 PM
To: Picardi, Rick [Picardi.Rick@epa.gov]
Subject: Pls review: US/Canada Article 11 arrangement - consolidated comments

<!--[if lte mso 15 || CheckWebRef]-->

Yohannes, Lia has shared a OneDrive for Business file with you. To view it, click the link below.



Art 11 arrange_DRAFT 2020-07-31 khn2 llc ab consolidated LY.docx

<!--[endif]-->

Rick,

For your review, here are the consolidated comments from Kathy, Laura and Anne on the US-Canada arrangement. My comments and questions for you are also included in the attached.

Lia

Liabeth Yohannes
International Branch
Office of Resource Conservation and Recovery
U.S. EPA Office of Land and Emergency Management
Yohannes.lia@epa.gov
+1.703.308.8413

From: Nam, Katherine <nam.katherine@epa.gov>
Sent: Thursday, August 6, 2020 1:59 PM
To: Yohannes, Lia <Yohannes.Lia@epa.gov>; Picardi, Rick <Picardi.Rick@epa.gov>
Cc: Coughlan, Laura <Coughlan.Laura@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>
Subject: RE: My comments on draft US/Canada Article 11 arrangement

Thanks, Lia!

Kathy

Katherine H. Nam
Solid Waste and Emergency Response Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, Washington, D.C. 20460
Phone: (202) 564-5512, Rm. 7013E WJCN
Email: nam.katherine@epa.gov

From: Yohannes, Lia <Yohannes.Lia@epa.gov>
Sent: Thursday, August 06, 2020 1:49 PM
To: Nam, Katherine <nam.katherine@epa.gov>; Picardi, Rick <Picardi.Rick@epa.gov>
Cc: Coughlan, Laura <Coughlan.Laura@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>
Subject: RE: My comments on draft US/Canada Article 11 arrangement

Kathy and all,

Thanks very much for your speedy review! After an initial read through all the comments make sense to me, but will let you know if questions arise when I consolidate.

Best,
Lia

Liabeth Yohannes
International Branch
Office of Resource Conservation and Recovery
U.S. EPA Office of Land and Emergency Management
Yohannes.lia@epa.gov
+1.703.308.8413

From: Nam, Katherine <nam.katherine@epa.gov>
Sent: Thursday, August 6, 2020 1:45 PM
To: Picardi, Rick <Picardi.Rick@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>
Cc: Coughlan, Laura <Coughlan.Laura@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>
Subject: FW: My comments on draft US/Canada Article 11 arrangement

Rick and Lia –

Just so there is no confusion, it seems that at this point, the attachment here contains all the comments from Laura, Anne and me. We have finished our review.

Per my email below, you will probably have to make a couple of word changes in the actual document to correspond with, and be consistent with, the comments that Anne made and my agreement with her comments. Anne made bubble comments but did not actually mark up her comments in the text. I agree with her comments, so please go ahead and make her changes in the text when you finalize the consolidated EPA comments.

Please let us know if you have any questions. Thanks!

Kathy

Katherine H. Nam
Solid Waste and Emergency Response Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, Washington, D.C. 20460
Phone: (202) 564-5512, Rm. 7013E WJCN
Email: nam.katherine@epa.gov

From: Nam, Katherine
Sent: Wednesday, August 05, 2020 4:30 PM
To: Berns, Anne <Berns.Anne@epa.gov>; Coughlan, Laura <Coughlan.Laura@epa.gov>; Picardi, Rick <Picardi.Rick@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>
Subject: RE: My comments on draft US/Canada Article 11 arrangement

Ex. 5 Attorney Client (AC)

Laura – I was fine with all your comments. Thanks.

Rick & Lia – Regarding my replies to Anne’s comments, I did not actually mark up the corresponding changes in the text itself, just so you could see the back-and-forth between her and me. If you agree with how we came out ultimately in our exchange, could you please make the appropriate changes in the body of the text in the final version of consolidated comments you plan to ultimately send to State? Thanks!

Kathy

Katherine H. Nam
Solid Waste and Emergency Response Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, Washington, D.C. 20460
Phone: (202) 564-5512, Rm. 7013E WJCN
Email: nam.katherine@epa.gov

From: Berns, Anne <Berns.Anne@epa.gov>
Sent: Wednesday, August 05, 2020 3:58 PM
To: Coughlan, Laura <Coughlan.Laura@epa.gov>; Nam, Katherine <nam.katherine@epa.gov>; Picardi, Rick <Picardi.Rick@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>
Subject: RE: My comments on draft US/Canada Article 11 arrangement

Here are my thoughts and suggestions on top of those from Kathy and Laura. They are mostly in comment form. Thanks again for looping me in on this. It is an interesting set of issues.

Anne Rowley Berns
Attorney-Advisor
EPA Office of General Counsel
Cross-Cutting Issues Law Office
Phone: (202) 564-1762

From: Coughlan, Laura
Sent: Wednesday, August 05, 2020 10:02 AM
To: Nam, Katherine <nam.katherine@epa.gov>; Picardi, Rick <Picardi.Rick@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>
Subject: RE: My comments on draft US/Canada Article 11 arrangement

Added my one comment to Kathy’s version.

From: Nam, Katherine <nam.katherine@epa.gov>

Sent: Tuesday, August 04, 2020 4:43 PM

To: Picardi, Rick <Picardi.Rick@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>; Coughlan, Laura <Coughlan.Laura@epa.gov>

Subject: My comments on draft US/Canada Article 11 arrangement

Hi, all.

I have reviewed the draft US/Canada Article 11 arrangement. All of my comments are minor.

Ex. 5 Attorney Client (AC)

If possible, it might be good if other folks who are reviewing, if you haven't already marked up your versions, maybe work off of my attached document so that we can have consolidated comments for Rick and Lia. However, if you have already started marking up your own, that's fine too. This document is so short, it's hopefully not a big deal for Rich and Lia to consolidate separate sets of EPA comments. Thanks!

Kathy

Katherine H. Nam
Solid Waste and Emergency Response Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, Washington, D.C. 20460
Phone: (202) 564-5512, Rm. 7013E WJCN
Email: nam.katherine@epa.gov

Message

From: Yohannes, Lia [Yohannes.Lia@epa.gov]
Sent: 8/28/2020 6:50:06 PM
To: Picardi, Rick [Picardi.Rick@epa.gov]
Subject: Use this copy - US-Canada arrangement - EPA cmts
Attachments: Canada-US Arrangement.Plastic Waste.CanadaComments.Augt27,2020 - EPA cmts.doc

Please review this version.

When I closed the file out, it prompted me to save so the previous version may not have saved my most recent changes.

Liabeth Yohannes
International Branch
Office of Resource Conservation and Recovery
U.S. EPA Office of Land and Emergency Management
Yohannes.Lia@epa.gov
+1.703.308.8413

Message

From: Yohannes, Lia [Yohannes.Lia@epa.gov]
Sent: 8/28/2020 6:48:16 PM
To: Picardi, Rick [Picardi.Rick@epa.gov]
Subject: US-CA arrangement draft - EPA cmts
Attachments: Canada-US Arrangement.Plastic Waste.CanadaComments.Augt27,2020 - EPA cmts.doc

Hi Rick,

Here's a copy of our comments on the US-CA arrangement for your review. This is the version I intend to send to the interagency and reflects input from Laura, Anne and Kathy.

Lia

Liabeth Yohannes
International Branch
Office of Resource Conservation and Recovery
U.S. EPA Office of Land and Emergency Management
Yohannes.lia@epa.gov
+1.703.308.8413

Message

From: Yohannes, Lia [Yohannes.Lia@epa.gov]
Sent: 9/8/2020 6:11:38 PM
To: Picardi, Rick [Picardi.Rick@epa.gov]
Subject: draft

<!--[if lte mso 15 || CheckWebRef]-->

Yohannes, Lia has shared a OneDrive for Business file with you. To view it, click the link below.



Canada-US Arrangement - Canada Comments (clean)_EPA Round 2 cmts v2.docx

<!--[endif]-->

Liabeth Yohannes
International Branch
Office of Resource Conservation and Recovery
U.S. EPA Office of Land and Emergency Management
Yohannes.lia@epa.gov
+1.703.308.8413

Appointment

From: Picardi, Rick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15E2DC5D6F3748F98905C93A1037D158-RPICARDI]
Sent: 6/12/2020 7:25:19 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: Interagency call with Canada on Article 11 arrangement
Location: Teleconference **Ex. 6 Personal Privacy (PP)**

Start: 6/19/2020 7:00:00 PM
End: 6/19/2020 8:00:00 PM
Show Time As: Busy

Appointment

From: Picardi, Rick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15E2DC5D6F3748F98905C93A1037D158-RPICARDI]
Sent: 6/11/2020 7:36:20 PM
To: Howard, Ryann [HowardR3@state.gov]
Subject: Accepted: HOLD - Interagency call with Canada on Article 11 arrangement
Location: Teleconference: TBD
Start: 6/19/2020 7:00:00 PM
End: 6/19/2020 9:00:00 PM
Show Time As: Busy

Message

From: Picardi, Rick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15E2DC5D6F3748F98905C93A1037D158-RPICARDI]
Sent: 8/13/2020 3:37:50 PM
To: Yohannes, Lia [Yohannes.Lia@epa.gov]
Subject: RE: US-CA arrangement - EPA cmts for State

Thnks

Rick Picardi
Chief, International Branch
Office of Resource Conservation and Recovery
US EPA Office of Land and Emergency Management
work mobile: 1-703-341-9962
picardi.rick@epa.gov

From: Yohannes, Lia <Yohannes.Lia@epa.gov>
Sent: Thursday, August 13, 2020 8:50 AM
To: Picardi, Rick <Picardi.Rick@epa.gov>
Subject: US-CA arrangement - EPA cmts for State

Hi Rick,

Just a friendly reminder on the EPA (Laura/OGC) comments on the US-CA arrangement. Do you want to send them to State?

Laura, Anne and Kathy reviewed and agreed with the consolidated comments. I attached two versions of the text:

- The EPA cmts 2 version shows the consolidated comments + the questions I posed to the EPA team for feedback. This version is just for your review.
- The EPA cmts, 8.7.20 version is just the consolidated comments and is ready to go to State, pending your approval.

Apologies for not bringing this up when we spoke about pending items earlier this week.

Lia

Liabeth Yohannes
International Branch
Office of Resource Conservation and Recovery
U.S. EPA Office of Land and Emergency Management
Yohannes.lia@epa.gov
+1.703.308.8413

From: Yohannes, Lia
Sent: Friday, August 7, 2020 2:50 PM
To: Picardi, Rick <Picardi.Rick@epa.gov>
Subject: Re: My comments on draft US/Canada Article 11 arrangement

Rick,

Laura, Anne and Kathy reviewed and agreed with the consolidated comments. I'm attaching two versions of the text:

- The EPA cmts 2 version shows the consolidated comments + the questions I posed to the EPA team for feedback. This version is just for your review.
- The EPA cmts, 8.7.20 version is just the consolidated comments and is ready to go to State, pending your approval.

Let me know if you have any questions.

Lia

Liabeth Yohannes
International Branch
Office of Resource Conservation and Recovery
U.S. EPA Office of Land and Emergency Management
Yohannes.Lia@epa.gov
+1.703.308.8413

From: Nam, Katherine <nam.katherine@epa.gov>
Sent: Friday, August 7, 2020 2:41 PM
To: Berns, Anne <Berns.Anne@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>; Coughlan, Laura <Coughlan.Laura@epa.gov>
Cc: Picardi, Rick <Picardi.Rick@epa.gov>
Subject: RE: My comments on draft US/Canada Article 11 arrangement

Lia – the consolidated comments looked fine to me also. Thank you!

Kathy

Katherine H. Nam
Solid Waste and Emergency Response Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, Washington, D.C. 20460
Phone: (202) 564-5512, Rm. 7013E WJCN
Email: nam.katherine@epa.gov

From: Berns, Anne <Berns.Anne@epa.gov>
Sent: Friday, August 07, 2020 12:51 PM
To: Yohannes, Lia <Yohannes.Lia@epa.gov>; Nam, Katherine <nam.katherine@epa.gov>; Coughlan, Laura <Coughlan.Laura@epa.gov>
Cc: Picardi, Rick <Picardi.Rick@epa.gov>
Subject: RE: My comments on draft US/Canada Article 11 arrangement

Fine with me. Thanks.

Anne Rowley Berns
Attorney-Advisor
EPA Office of General Counsel
Cross-Cutting Issues Law Office
Phone: (202) 564-1762

From: Yohannes, Lia
Sent: Friday, August 07, 2020 12:10 PM
To: Nam, Katherine <nam.katherine@epa.gov>; Coughlan, Laura <Coughlan.Laura@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>
Cc: Picardi, Rick <Picardi.Rick@epa.gov>
Subject: RE: My comments on draft US/Canada Article 11 arrangement

Hi all,

For your review, I've attached consolidated comments on the US-Canada bilateral arrangement text. The comments we propose sending back to State are denoted as "EPA comment". Issues or changes made where I'd like to get the group's endorsement are denoted as "for EPA feedback."

Attaching a OneDrive version of the file to facilitate review.

Thanks again for all your input thus far.

Lia

Liabeth Yohannes
International Branch
Office of Resource Conservation and Recovery
U.S. EPA Office of Land and Emergency Management
Yohannes.lia@epa.gov
+1.703.308.8413

From: Nam, Katherine <nam.katherine@epa.gov>
Sent: Thursday, August 6, 2020 1:59 PM
To: Yohannes, Lia <Yohannes.Lia@epa.gov>; Picardi, Rick <Picardi.Rick@epa.gov>
Cc: Coughlan, Laura <Coughlan.Laura@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>
Subject: RE: My comments on draft US/Canada Article 11 arrangement

Thanks, Lia!

Kathy

Katherine H. Nam
Solid Waste and Emergency Response Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, Washington, D.C. 20460
Phone: (202) 564-5512, Rm. 7013E WJCN
Email: nam.katherine@epa.gov

From: Yohannes, Lia <Yohannes.Lia@epa.gov>
Sent: Thursday, August 06, 2020 1:49 PM
To: Nam, Katherine <nam.katherine@epa.gov>; Picardi, Rick <Picardi.Rick@epa.gov>

Cc: Coughlan, Laura <Coughlan.Laura@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>

Subject: RE: My comments on draft US/Canada Article 11 arrangement

Kathy and all,

Thanks very much for your speedy review! After an initial read through all the comments make sense to me, but will let you know if questions arise when I consolidate.

Best,

Lia

Liabeth Yohannes
International Branch
Office of Resource Conservation and Recovery
U.S. EPA Office of Land and Emergency Management
Yohannes.lia@epa.gov
+1.703.308.8413

From: Nam, Katherine <nam.katherine@epa.gov>

Sent: Thursday, August 6, 2020 1:45 PM

To: Picardi, Rick <Picardi.Rick@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>

Cc: Coughlan, Laura <Coughlan.Laura@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>

Subject: FW: My comments on draft US/Canada Article 11 arrangement

Rick and Lia –

Just so there is no confusion, it seems that at this point, the attachment here contains all the comments from Laura, Anne and me. We have finished our review.

Per my email below, you will probably have to make a couple of word changes in the actual document to correspond with, and be consistent with, the comments that Anne made and my agreement with her comments. Anne made bubble comments but did not actually mark up her comments in the text. I agree with her comments, so please go ahead and make her changes in the text when you finalize the consolidated EPA comments.

Please let us know if you have any questions. Thanks!

Kathy

Katherine H. Nam
Solid Waste and Emergency Response Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, Washington, D.C. 20460
Phone: (202) 564-5512, Rm. 7013E WJCN
Email: nam.katherine@epa.gov

From: Nam, Katherine

Sent: Wednesday, August 05, 2020 4:30 PM

To: Berns, Anne <Berns.Anne@epa.gov>; Coughlan, Laura <Coughlan.Laura@epa.gov>; Picardi, Rick <Picardi.Rick@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>

Subject: RE: My comments on draft US/Canada Article 11 arrangement

Ex. 5 Deliberative Process (DP)

Laura – I was fine with all your comments. Thanks.

Rick & Lia – Regarding my replies to Anne's comments, I did not actually mark up the corresponding changes in the text itself, just so you could see the back-and-forth between her and me. If you agree with how we came out ultimately in our exchange, could you please make the appropriate changes in the body of the text in the final version of consolidated comments you plan to ultimately send to State? Thanks!

Kathy

Katherine H. Nam
Solid Waste and Emergency Response Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, Washington, D.C. 20460
Phone: (202) 564-5512, Rm. 7013E WJCN
Email: nam.katherine@epa.gov

From: Berns, Anne <Berns.Anne@epa.gov>
Sent: Wednesday, August 05, 2020 3:58 PM
To: Coughlan, Laura <Coughlan.Laura@epa.gov>; Nam, Katherine <nam.katherine@epa.gov>; Picardi, Rick <Picardi.Rick@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>
Subject: RE: My comments on draft US/Canada Article 11 arrangement

Here are my thoughts and suggestions on top of those from Kathy and Laura. They are mostly in comment form. Thanks again for looping me in on this. It is an interesting set of issues.

Anne Rowley Berns
Attorney-Advisor
EPA Office of General Counsel
Cross-Cutting Issues Law Office
Phone: (202) 564-1762

From: Coughlan, Laura
Sent: Wednesday, August 05, 2020 10:02 AM
To: Nam, Katherine <nam.katherine@epa.gov>; Picardi, Rick <Picardi.Rick@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>
Subject: RE: My comments on draft US/Canada Article 11 arrangement

Added my one comment to Kathy's version.

From: Nam, Katherine <nam.katherine@epa.gov>
Sent: Tuesday, August 04, 2020 4:43 PM
To: Picardi, Rick <Picardi.Rick@epa.gov>; Yohannes, Lia <Yohannes.Lia@epa.gov>; Berns, Anne <Berns.Anne@epa.gov>

Coughlan, Laura <Coughlan.Laura@epa.gov>

Subject: My comments on draft US/Canada Article 11 arrangement

Hi, all.

I have reviewed the draft US/Canada Article 11 arrangement. All of my comments are minor.

Ex. 5 Deliberative Process (DP)

If possible, it might be good if other folks who are reviewing, if you haven't already marked up your versions, maybe work off of my attached document so that we can have consolidated comments for Rick and Lia. However, if you have already started marking up your own, that's fine too. This document is so short, it's hopefully not a big deal for Rich and Lia to consolidate separate sets of EPA comments. Thanks!

Kathy

Katherine H. Nam
Solid Waste and Emergency Response Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, Washington, D.C. 20460
Phone: (202) 564-5512, Rm. 7013E WJCN
Email: nam.katherine@epa.gov

Message

From: Picardi, Rick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15E2DC5D6F3748F98905C93A1037D158-RPICARDI]
Sent: 8/3/2020 9:02:00 PM
To: Yohannes, Lia [Yohannes.Lia@epa.gov]
Subject: Larke wants to talk about Canada's schedule for the arrangement and EPA's comments

Larke and I could only do 5:30 – if that doesn't work for you, that's fine.

Rick Picardi
Chief, International Branch
Office of Resource Conservation and Recovery
US EPA Office of Land and Emergency Management
work mobile: 1-703-341-9962
picardi.rick@epa.gov

Appointment

From: Picardi, Rick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15E2DC5D6F3748F98905C93A1037D158-RPICARDI]
Sent: 6/9/2020 5:22:05 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: US-Canada Arrangement: U.S. Stakeholder Meeting
Location: Teleconference **Ex. 6 Personal Privacy (PP)**

Start: 6/18/2020 3:00:00 PM
End: 6/18/2020 4:00:00 PM
Show Time As: Busy

Appointment

From: Picardi, Rick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15E2DC5D6F3748F98905C93A1037D158-RPICARDI]
Sent: 5/27/2020 5:02:38 PM
To: Bellew, Renee [bellew.renee@epa.gov]
Subject: Accepted: Pre-meeting to discuss Canada arrangement
Start: 5/28/2020 7:00:00 PM
End: 5/28/2020 8:00:00 PM
Show Time As: Busy

Appointment

From: Picardi, Rick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15E2DC5D6F3748F98905C93A1037D158-RPICARDI]
Sent: 5/27/2020 4:34:47 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: Fw: Interest in Canada-US arrangement regarding trade in plastic wastes
Location: Teleconference **Ex. 6 Personal Privacy (PP)**

Start: 5/29/2020 3:00:00 PM
End: 5/29/2020 4:00:00 PM
Show Time As: Busy

Appointment

From: Picardi, Rick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e2dc5d6f3748f98905c93a1037d158-RPICARDI]
Sent: 9/23/2020 10:29:45 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: Discussion re Canada's edits on Draft text of U.S.-CA A11 Arrangement
Location: Teleconference **Ex. 6 Personal Privacy (PP)**

Start: 9/24/2020 3:00:00 PM
End: 9/24/2020 4:00:00 PM
Show Time As: Busy

Message

From: Picardi, Rick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15E2DC5D6F3748F98905C93A1037D158-RPICARDI]
Sent: 11/16/2020 7:16:24 PM
To: Hoskinson, Carolyn [Hoskinson.Carolyn@epa.gov]; Sullivan, Greg [Sullivan.Greg@epa.gov]
CC: OLEM ORCR IO [OLEMORCRIO@epa.gov]; Crossland, Andy [Crossland.Andy@epa.gov]; Elliott, Ross [Elliott.Ross@epa.gov]; Yohannes, Lia [Yohannes.Lia@epa.gov]; Cochran, Kimberly [Cochran.Kimberly@epa.gov]
Subject: US and Canada reach agreement on non-hazardous scrap and waste exports-imports
Attachments: US-Canada Arrangement and Mexico update summary_11.16.20.docx; US-Canada Arrangement on nonhazardous scrap_FINAL_29 Oct. 2020.pdf

Hi Carolyn and Greg

I wanted to let you know that the US and Canada recently completed negotiations on how to handle the exports and imports of non-hazardous scrap and waste between our countries. The good news is that Canada agreed with not applying the prior notice and consent process to exports and imports of non-hazardous scrap and waste between our countries.

We began discussions with Environment and Climate Change Canada, the Canadian environmental agency, last May. The State Department and EPA have been in active negotiations with Canada on what is called an "arrangement" for the past several months. Canada and Mexico are our major trading partners for plastic scrap and other non-hazardous scrap.

The ORCR International Branch is also working with Mexico to determine what requirements they will apply to exports and imports of plastic scrap and waste with the United States. Mexico had told us that they will apply prior notice and consent requirements to some non-hazardous plastic scrap and waste. We hope to hear from Mexico soon on their requirements.

The attached summary provides information on both Canada and Mexico. Andy has reviewed and approved the attachment. My thanks to Lia for writing most of the summary and her crucial role during the negotiations. I've also attached the US-Canada arrangement on non-hazardous scrap and waste. The OLEM IO might be interested in this information as well.

Please let me know if you have any questions.

Thanks
Rick Picardi
Chief, International Branch
Material Recovery and Waste Management Division
Office of Resource Conservation and Recovery
US EPA Office of Land and Emergency Management
1-703-341-9962
picardi.rick@epa.gov

Update on work to facilitate plastic scrap trade between U.S.-Canada and U.S.-Mexico

Background

Two major legally binding international agreements impact the U.S. export and import of scrap and waste. The first is a global treaty called the Basel Convention which controls the export and import of most scrap and waste for disposal or recovery. The second is under the Organization for Economic Cooperation and Development (OECD) (a consortium of 37 democratic, affluent or relatively affluent countries) called the OECD Council Decision which controls hazardous scrap or waste traded for recovery among the OECD countries.

Canada and Mexico are the United States' most important trading partners for plastic scrap. In 2019, over 40% of U.S. trade in plastic scrap (by volume) was with Canada and Mexico. In 2019, U.S.-Canada trade in plastic scrap represented 25% of total U.S. trade (by volume) in plastic scrap and was valued at over \$112 million. That same year, U.S.-Mexico trade in plastic scrap represented over 16% of total U.S. trade (by volume) in plastic scrap and was valued at nearly \$100 million.

Given that most non-hazardous plastic scrap and waste will be controlled under the Basel Convention effective January 1, 2021 and OECD countries did not reach agreement on what rules to apply to trade in this material under the OECD Council Decision, the future of U.S.-Canada and U.S.-Mexico trade in Basel-controlled non-hazardous plastic scrap and waste has been uncertain. The MRWMD International Branch has been working to try to ensure that such exports and imports can continue and has two updates.

U.S.-Canada "Article 11" "Arrangement" finalized

- The U.S. and Canada recently finalized a Basel Convention "Article 11" Arrangement to allow for the continued transboundary movement of non-hazardous scrap and waste (an "arrangement" is a type of agreement under Basel). Under the terms of the Arrangement, trade between the U.S. and Canada in non-hazardous scrap and waste controlled by the Basel Convention, including plastic scrap and waste, will not be subject to prior notice and consent requirements.
- Because of the Basel Convention prohibition on trade between Basel Parties and non-Parties (like the U.S.), Basel Parties are not allowed to trade in Basel-controlled waste with the U.S. unless the trade occurs under a separate bilateral or multilateral agreement or arrangement meeting certain Basel criteria defined in Article 11 of the Basel Convention. (The existing U.S.-Canada Article 11 Agreement allows trade in hazardous waste between the two countries.)
- A U.S.-Canada Arrangement that covers non-hazardous plastic scrap and waste is necessary to facilitate continued trade in this material because OECD countries did not reach agreement on how to address non-hazardous plastic scrap and waste under the OECD Council Decision

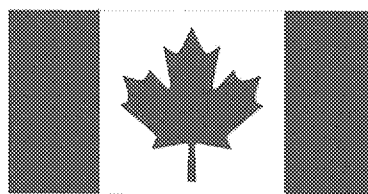
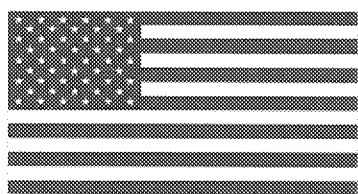
Ex. 5 Deliberative Process (DP)

Mexico likely to apply some Basel requirements to U.S.-Mexico trade in plastic scrap and waste

- Mexico has indicated to EPA that they are planning on applying prior notice and consent requirements for plastic scrap and waste controlled under the Basel Convention. The ORCR International Branch (IB) is in the process of working with SEMARNAT, the Mexican national environmental agency, to learn about Mexico's requirements. IB reached out to SEMARNAT a few weeks ago and hopes to hear back from them soon. Once IB understands the Mexican requirements, we plan to communicate this information to U.S. exporters and importers. (Mexico is also an OECD country, but it has the option of deciding to apply Basel requirements to exports and imports of plastic scrap and waste with OECD countries, including the United States.)
- Mexico is the largest source of U.S. imports of plastic scrap -- 34% of all plastic scrap imports (by volume) were from Mexico in 2019, and the 5th largest export market for U.S. plastic scrap with 6% of U.S. plastic scrap exports (by volume) sent to Mexico in 2019.
- If, starting in January 2021, Mexico imposes prior notice and consent requirements for plastic scrap trade between our two countries, it will add administrative responsibilities on both the U.S. regulated community and the International Branch (IB). The exact nature of the impacts to EPA will depend on the requirements Mexico imposes. For imports into the U.S., Mexico may submit export notices to EPA. EPA (IB and the Regions) would then have to review the notice and issue a "neither consent nor object" (essentially a consent for waste not regulated as hazardous waste under RCRA). For U.S. exports, IB anticipates facing challenges trying to facilitate compliance by U.S. exporters with Mexican requirements as well as challenges in securing a timely response from Mexico to U.S. notices (e.g., whether Mexico consents or objects).

ORCR webinar for U.S. regulated community

- On November 23, the International Branch is holding a webinar to explain the information above as well as the Basel Convention and OECD changes to the requirements for plastic scrap exports and imports. We are also adding information on the changes to the ORCR website. IB has already held several webinars for trade associations and state and local governments.



**ARRANGEMENT BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND THE GOVERNMENT OF CANADA CONCERNING THE ENVIRONMENTALLY
SOUND MANAGEMENT OF NON-HAZARDOUS WASTE AND SCRAP
SUBJECT TO TRANSBOUNDARY MOVEMENT**

THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF CANADA, hereinafter referred to collectively as “Participants” and individually as “Participant”;

RECALLING the *Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal*, done at Basel on 22 March 1989 (the “Basel Convention”);

RECALLING Article 11(1) of the Basel Convention, which provides that a Party may enter into an agreement or arrangement regarding transboundary movement of hazardous wastes or other wastes with a non-Party provided that such agreement or arrangement does not derogate from the environmentally sound management of hazardous wastes and other wastes as required by the Convention and that such agreement or arrangement stipulates provisions not less environmentally sound than those provided for by the Convention;

RECALLING the *Agreement between the Government of the United States of America and the Government of Canada concerning the Transboundary Movement of Hazardous Waste and Other Waste*, done at Ottawa on 28 October 1986, as amended (“Article 11 Agreement”);

SEEKING to ensure that the transboundary movement, transportation, recycling, recovery, and disposal of non-hazardous waste and scrap continues to be conducted in an environmentally sound manner in order to protect human health and the environment;

RECOGNIZING the Participants’ longstanding commitment to the environmentally sound management of waste and scrap, and their record of successful coordination and cooperation concerning the transboundary movement of waste and scrap, including under the existing Article 11 Agreement;

RECOGNIZING that the transboundary movement of waste and scrap for environmentally sound management, including trade in recyclable and recoverable materials, can yield economic and environmental benefits, including to support sustainable materials management; and

TAKING INTO ACCOUNT the Recommendation of the OECD Council on the Environmentally Sound Management of Waste (OECD/LEGAL/0329) and the associated Guidance Manual on Environmentally Sound Management of Waste;

HAVE REACHED the following understanding:

SECTION I

This Arrangement affirms the environmentally sound management in the United States of America and Canada (referred to collectively as “the countries” and individually as “country”) of non-hazardous waste and scrap subject to transboundary movement between the countries or transit through one country when the waste and scrap is both shipped from and destined for the other country (“transboundary movement”).

For the purposes of this Arrangement, “non-hazardous waste and scrap” means any waste and scrap not covered by the Article 11 Agreement or Appendix 4 of the Decision of the OECD Council on the Control of Transboundary Movements of Wastes Destined for Recovery Operations (OECD/LEGAL/0266).

SECTION II

Each Participant confirms that it has and intends to maintain measures to provide for the environmentally sound management, including recycling, recovery and disposal, of non-hazardous waste and scrap in order to protect human health and the environment.

Each Participant intends to manage non-hazardous waste and scrap in an environmentally sound manner, including recycling, recovery and disposal, in its country, in accordance with applicable laws, regulations, and practices.

The Participants intend that the transboundary movement of non-hazardous waste and scrap under this Arrangement be subject to all existing controls normally applied in commercial transactions.

The Participants intend to continue and augment, as appropriate, cooperative activities, using the U.S.-Canada Waste Operational Working Group (or successor group) and other relevant fora, with regard to the environmentally sound management of waste and scrap, such as exchange of information and development of best practices on issues of relevance to this Arrangement.

Each Participant is expected to inform the other Participant in a timely manner of any material changes to its domestic laws or regulations addressing the transboundary movement of non-hazardous waste and scrap.

SECTION III


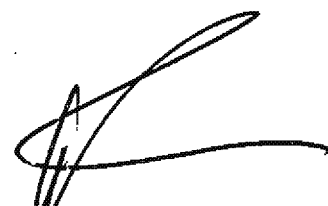
The Participants intend that all activities carried out under this Arrangement be consistent with applicable law. This document constitutes an arrangement under Article 11 of the Basel Convention and does not impose, and is not intended to impose, any legal obligations on the Participants. The Participants intend to consult with each other as needed regarding the interpretation or implementation of this Arrangement.

This Arrangement forms part of the instruments between the United States of America and Canada in relation to the transboundary movement and the environmentally sound management of waste and scrap, and is complementary to the existing Article 11 Agreement between the Participants.

This Arrangement becomes effective upon signature by both Participants and is intended to remain effective unless discontinued. The Arrangement may be discontinued by either Participant, in which case the Participant seeking to discontinue the Arrangement should provide 180 days' written notice to the other Participant.

The Participants intend to consider whether to review the terms of this Arrangement at the request of either Participant. This Arrangement may be modified by mutual written decision of the Participants.

SIGNED in duplicate at *Washington* this *22nd* day of *October* 2020,
and at *Paris* this *20th* day of *October* 2020, in the English and
French languages.

 _____ FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA	 _____ FOR THE GOVERNMENT OF CANADA
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Message

From: Picardi, Rick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15E2DC5D6F3748F98905C93A1037D158-RPICARDI]
Sent: 11/9/2020 4:19:58 PM
To: Crossland, Andy [Crossland.Andy@epa.gov]
CC: Yohannes, Lia [Yohannes.Lia@epa.gov]
Subject: FW: Yohannes, Lia replied to a comment in "US-CAN Arrang. and MX update summary, 10.30.20"
Attachments: US-Canada Arrangement and Mexico update summary_11.9.20.docx

Andy

Here's the informational write-up on the Canadian arrangement, and what we've heard from Mexico on plastic scrap, for Carolyn and then the OLEM IO. Your comments and my comments have been incorporated. Do you want to send it to Carolyn and the OLEM IO or would you like me to send it?

thanks
Rick
703-341-9962

From: Yohannes, Lia <Yohannes.Lia@epa.gov>
Sent: Monday, November 9, 2020 10:54 AM
To: Picardi, Rick <Picardi.Rick@epa.gov>
Subject: FW: Yohannes, Lia replied to a comment in "US-CAN Arrang. and MX update summary, 10.30.20"

Rick,

Here's the revised summary of the US-Canada arrangement and our Mexico update.

Best,
Lia

Liabeth Yohannes
International Branch
Office of Resource Conservation and Recovery
U.S. EPA Office of Land and Emergency Management
Yohannes.lia@epa.gov
+1.703.308.8413

From: Crossland, Andy <Crossland.Andy@epa.gov>
Sent: Monday, November 9, 2020 9:17 AM
To: Yohannes, Lia <Yohannes.Lia@epa.gov>
Cc: Picardi, Rick <Picardi.Rick@epa.gov>
Subject: RE: Yohannes, Lia replied to a comment in "US-CAN Arrang. and MX update summary, 10.30.20"

Sounds good and I am down with the whatever-works-best philosophy.
-A

Andy Crossland
Director, Materials Recovery and Waste Management Division

Office of Resource Conservation and Recovery
Office of Land and Emergency Management
(202) 853-4459
Crossland.andy@epa.gov

From: Yohannes, Lia <Yohannes.Lia@epa.gov>
Sent: Monday, November 9, 2020 9:16 AM
To: Crossland, Andy <Crossland.Andy@epa.gov>
Cc: Picardi, Rick <Picardi.Rick@epa.gov>
Subject: RE: Yohannes, Lia replied to a comment in "US-CAN Arrang. and MX update summary, 10.30.20"

Hi Andy,

Thanks very much for your review and feedback on the summary. I hadn't realized that authors *and* commenters get alerted now when comments are made on OneDrive files. Sorry for any confusion!

I incorporated your comments and I don't think you need to take a look again. My plan is to make sure Rick's OK with the revisions and then proceed up the chain.

In the future, I'll make revisions in a different file to avoid the alert issue unless you prefer to see the updates. Whatever works best.

Thanks again
Lia

Liabeth Yohannes
International Branch
Office of Resource Conservation and Recovery
U.S. EPA Office of Land and Emergency Management
Yohannes.lia@epa.gov
+1.703.308.8413

From: Crossland, Andy <Crossland.Andy@epa.gov>
Sent: Friday, November 6, 2020 3:59 PM
To: Yohannes, Lia <Yohannes.Lia@epa.gov>
Cc: Picardi, Rick <Picardi.Rick@epa.gov>
Subject: FW: Yohannes, Lia replied to a comment in "US-CAN Arrang. and MX update summary, 10.30.20"

Lia-

Hey, I got emails saying you commented back... but could not open the file, for some reason. Did I need to go in an look, or were comments to Rick... or...

Let me know if I have a next step...

THanks,
-Andy

Andy Crossland
Director, Materials Recovery and Waste Management Division
Office of Resource Conservation and Recovery
Office of Land and Emergency Management
(202) 853-4459
Crossland.andy@epa.gov

From: Yohannes, Lia <no-reply@sharepointonline.com>

Sent: Thursday, November 5, 2020 2:06 PM

To: Crossland, Andy <Crossland.Andy@epa.gov>

Subject: Yohannes, Lia replied to a comment in "US-CAN Arrang. and MX update summary, 10.30.20"

SharePoint



Yohannes, Lia left 2 comments



US-CAN Arrang. and MX update summary, 10.30.20.docx



Yohannes, Lia replied to Crossland, Andy's comment



Yohannes, Lia replied to Crossland, Andy's comment

Open

[Privacy Statement](#) | [Notification Settings](#)

■

Appointment

From: Yohannes, Lia [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=89264c93fc9242e9b14eaed070cf65f7-Yohannes, L]
Sent: 11/10/2020 1:28:16 PM
To: Ryann Howard [howardr3@state.gov]

Subject: Accepted: U.S. Industry Stakeholder Meeting on U.S.-Canada Arrangement

Location: **Ex. 6 Personal Privacy (PP)**

Start: 11/18/2020 3:30:00 PM

End: 11/18/2020 4:30:00 PM

Show Time As: Busy

Appointment

From: Yohannes, Lia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=89264c93fc9242e9b14eaed070cf65f7-Yohannes, L]
Sent: 11/10/2020 1:28:09 PM
To: Ryann Howard [howardr3@state.gov]

Subject: Accepted: U.S. NGO Stakeholder Meeting on U.S.-Canada Arrangement

Location: **Ex. 6 Personal Privacy (PP)**

Start: 11/18/2020 5:00:00 PM

End: 11/18/2020 6:00:00 PM

Show Time As: Busy

Appointment

From: Yohannes, Lia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=89264c93fc9242e9b14eaed070cf65f7-Yohannes, L]
Sent: 7/20/2020 1:23:27 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: US-Canada Article 11 Arrangement - Follow-Up
Location: Teleconference 1 **Ex. 6 Personal Privacy (PP)**

Start: 7/20/2020 6:00:00 PM
End: 7/20/2020 6:30:00 PM
Show Time As: Busy

Appointment

From: Yohannes, Lia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=89264C93FC9242E9B14EAED070CF65F7-YOHANNES, L]
Sent: 6/2/2020 10:48:48 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: Interest in U.S.-Canada arrangement... Interagency Discussion
Location: Teleconference: **Ex. 6 Personal Privacy (PP)**

Start: 6/5/2020 7:00:00 PM
End: 6/5/2020 8:00:00 PM
Show Time As: Busy

Appointment

From: Yohannes, Lia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=89264C93FC9242E9B14EAED070CF65F7-YOHANNES, L]
Sent: 6/15/2020 11:29:13 AM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: Interagency call with Canada on Article 11 arrangement
Location: Teleconference **Ex. 6 Personal Privacy (PP)**

Start: 6/19/2020 7:00:00 PM
End: 6/19/2020 8:00:00 PM
Show Time As: Busy

Appointment

From: Yohannes, Lia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=89264C93FC9242E9B14EAED070CF65F7-YOHANNES, L]
Sent: 6/11/2020 6:55:42 PM
To: Howard, Ryann [HowardR3@state.gov]
Subject: Accepted: HOLD - Interagency call with Canada on Article 11 arrangement
Location: Teleconference: TBD
Start: 6/19/2020 7:00:00 PM
End: 6/19/2020 9:00:00 PM
Show Time As: Busy

Appointment

From: Yohannes, Lia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=89264C93FC9242E9B14EAED070CF65F7-YOHANNES, L]
Sent: 6/10/2020 8:19:29 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: US-Canada Arrangement: U.S. Stakeholder Meeting
Location: Teleconference **Ex. 6 Personal Privacy (PP)**

Start: 6/18/2020 3:00:00 PM
End: 6/18/2020 4:00:00 PM
Show Time As: Busy

Appointment

From: Yohannes, Lia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=89264C93FC9242E9B14EAED070CF65F7-YOHANNES, L]
Sent: 5/28/2020 6:59:01 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: Fw: Interest in Canada-US arrangement regarding trade in plastic wastes
Location: Teleconference: **Ex. 6 Personal Privacy (PP)**

Start: 5/29/2020 3:00:00 PM
End: 5/29/2020 4:00:00 PM
Show Time As: Busy

Appointment

From: Yohannes, Lia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=89264C93FC9242E9B14EAED070CF65F7-YOHANNES, L]
Sent: 5/27/2020 5:03:52 PM
To: Bellew, Renee [bellew.renee@epa.gov]
Subject: Accepted: Pre-meeting to discuss Canada arrangement
Start: 5/28/2020 7:00:00 PM
End: 5/28/2020 8:00:00 PM
Show Time As: Busy

Appointment

From: Yohannes, Lia [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=89264c93fc9242e9b14eaed070cf65f7-Yohannes, L]
Sent: 9/10/2020 3:58:31 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: HOLD: Joint Stakeholder Meeting on US-Canada A11 Arrangement
Location: Teleconference Ex. 6 Personal Privacy (PP)

Start: 9/21/2020 5:00:00 PM
End: 9/21/2020 6:00:00 PM
Show Time As: Busy

Appointment

From: Yohannes, Lia [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=89264c93fc9242e9b14eaed070cf65f7-Yohannes, L]
Sent: 9/24/2020 12:19:13 PM
To: Howard, Ryann [HowardR3@state.gov]

Subject: Accepted: FW: Discussion re Canada's edits on Draft text of U.S.-CA A11 Arrangement
Location: Teleconference **Ex. 6 Personal Privacy (PP)**

Start: 9/24/2020 3:00:00 PM
End: 9/24/2020 4:00:00 PM
Show Time As: Busy